(13)

CF/1006

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No. 2586 /2003.

PETITIONER : Anand Lal Halwai,
S/o Shri Bodh Sai Halwai,
aged 55 years, Occupation-Lecturer,
Govt.Higher Secondary School,
Tilakaja, Distt.Korba (C.G.)

P. R. No. 2586/03
Presented by Shri Santosh Bhaiya
19.08.03

VERSUS

RESPONDENTS : 1. State of Chhattisgarh,
Through : Secretary,
Tribal Development Deptt.
Ministry, D.K.S. Bhawan,
Raipur (C.G.).

2. Director,
Tribal Development Deptt.
Ministry, D.K.S. Bhawan,
Raipur (C.G.).

3. The Commissioner,
Tribal Development Department,
Raipur (C.G.)

शपथ आयुक्त
एम.के. शुक्ला
बिलासपुर (छ.ग.)
तहसील कोर्ट

19.8.03
CLERK TO A.G. BILASPUR

WRIT PETITIONER UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA

XI-HC-22

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 2586/03

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	2.9.2003 Petitioner by Shri Prafull Bharat, Advocate. Respondents/State by Shri Ranbir Singh, Govt. Advocate. By this petition under Article 226/227 of the Constitution of India the petitioner has challenged his transfer order dated 2.7.2003 (Annexure P/1) by which he has been transferred from Boys Govt. Higher Secondary School, Kilakaja, Korba to Govt. Higher Secondary School, Bhairamgarh, Dantewada. The main grievance of the petitioner is that he is posted as Lecturer of Economics in Tilakaja School, Korba where 7 posts of lecturers are sanctioned but at present only 4 lecturers are working. The petitioner is teaching Economics to the students of class 11th and 12th. In spite of sanctioned vacant post of lecturer in the school the Respondent No.2 has issued the impugned transfer order. Learned counsel for the petitioner submits that the transfer has been effected without any administrative exigency and against the transfer policy formulated by the Govt. which says that during the ban period transfer should be made with the concurrence of the Chief Minister. It has been mentioned that there is a ban on general transfers. Learned counsel for the petitioner submits that the petitioner has made a representation Annexure P/2 to the Commissioner/Respondent No.3 but the same has not yet been decided. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case it is directed that the Respondent No.3 should decide the representation already filed by the petitioner within a period of 30 days from today. However the	

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक 2586/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	petitioner is allowed to make further representation raising all his grievances before the Respondent No.3 within a period of 10 days from today. If such representation is made by the petitioner, the Respondent No.3 shall decide the same in an objective manner by appropriate order within 30 days from the date of receipt of the representation taking into consideration all the points raised by the petitioner. Till the decision is taken by the Respondent No.3 the transfer order qua petitioner will remain in abeyance. With the above observations this petition is disposed of finally. Consequently M(W)P No. 2374/2003 and I.A. No. 7832/2003 also disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	